

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

| | | |
|----------------------------|---|------------------|
| UNITED STATES OF AMERICA, |) | No. 3:05cr400 |
| |) | |
| Plaintiff |) | |
| |) | AMENDED |
| v. |) | SCHEDULING ORDER |
| |) | AND CONTINUANCE |
| |) | |
| CUMMINS, et al., |) | |
| |) | |
| JUAN LUIS LLAMAS (4) |) | |
| JOSHUA JORANE GRIMES (11) |) | |
| MICHAEL ROBERT KEARNS (12) |) | |
| |) | |
| Defendants |) | |

THE COURT, *sua sponte*, hereby amends its prior peremptory scheduling order in the above-captioned case. Previously, when Defendant Juan Luis Llamas (Defendant No. 4) was the only remaining defendant in custody, the Court at the request of the parties set a peremptory trial date of Tuesday, November 13, 2007 (Doc. No. 110). Since that time, Defendants Joshua Jorane Grimes (Defendant No. 11) and Michael Robert Kearns (Defendant No. 12) have been arrested and arraigned.

When Defendant Llamas was the only pending defendant, counsel estimated a four day trial, which would not interfere with the Thanksgiving holiday week.

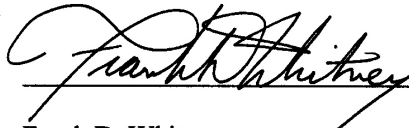
Now that three defendants are pending trial, it is likely that the trial will run over to the Thanksgiving week, creating administrative burdens and scheduling conflicts with court personnel and jurors.

THEREFORE, based upon the ends of justice, the Court continues and amends its peremptory setting in this matter by scheduling jury selection and trial to begin MONDAY,

NOVEMBER 26, 2007, at 9:00 am.

IT IS SO ORDERED.

Signed: September 17, 2007


Frank D. Whitney
United States District Judge

